

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RAY LENAL MCCALL,

Defendant.

Case No. 3:04-cr-0070-RRB

**ORDER APPOINTING COUNSEL
AND SETTING BRIEFING SCHEDULE**

On May 21, 2008, Ray Lenal McCall filed a motion for appointment of counsel for the purposes of re-sentencing under 28 U.S.C. § 3582(c), in light of the new Sentencing Guidelines with respect to "crack" cocaine.¹

IT IS THEREFORE ORDERED that:

1. Mr. McCall's application for appointment of counsel, at Docket 581, is **GRANTED**. Mary Geddes is appointed to represent Mr. McCall in this matter.

¹ See Docket Nos. 581, 582; see also *Kimbrough v. United States*, 128 S. Ct. 558, 569 (2007), citing Amendments to the Sentencing Guidelines for United States Courts, 72 Fed. Reg. 28571-28572 (2007); *United States v. Ross*, 511 F.3d 1233, 1237 n. 2 (9th Cir. 2008) ("On March 3, 2008, time reductions for crack cocaine offenders sentenced prior to November 1, 2007, will be authorized pursuant to 18 U.S.C.A. § 3582(c) (2)").

2. Counsel for Mr. McCall shall review the record, confer with him, and file a motion under section 3582(c), or other appropriate document, by **July 25, 2008**.

3. The Government is permitted to file a response within 60 days from the time counsel for Mr. McCall files the motion.

4. Counsel for Mr. McCall may file a reply within 30 days of the filing of the response.

ENTERED this 23rd day of May, 2008.

S/RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE